



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

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Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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08/341,665 11/17/94 SCHMIDT

W ML0144C

ESM1/0624

EXAMINER
SHAVER, RWEINTRAUB DUROSS AND BRADY
30200 TELEGRAPH ROAD STE 444
BINGHAM FARMS MI 48025

ART UNIT	PAPER NUMBER
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11

2507
DATE MAILED:

06/24/96

INTERVIEW SUMMARY

All participants (applicant, applicant's representative, PTO personnel):

(1) MR. ARNOLD S. WEINTRAUB (3)(2) R D SHAVER (4)Date of Interview 6/10/96Type: Telephonic Personal (copy is given to applicant applicant's representative).Exhibit shown or demonstration conducted: Yes No If yes, brief description:Agreement was reached. was not reached.Claim(s) discussed: 7 AND ORIGINAL CLAIMS 3-5, 8 AND 9.Identification of prior art discussed: N/A

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: DURING A TELEPHONIC INTERVIEW WITH MR. WEINTRAUB THE EXAMINER INFORMED MR. WEINTRAUB THAT CLAIM 11 IS ALLOWABLE OVER THE PRIOR ART OF RECORD. IT WAS AGREED THAT MR. WEINTRAUB WOULD SUBMIT A SUPPLEMENTAL AMENDMENT CANCELING CLAIM 7, ADDING NEW CLAIM 13, DEFINING THE SUBJECT MATTER OF CLAIM 3, NEW CLAIM 14, DEFINING THE SUBJECT MATTER OF CLAIM 4, NEW CLAIM 15, DEFINING THE SUBJECT MATTER OF CLAIMS 5, NEW CLAIM 16, DEFINING THE SUBJECT MATTER OF CLAIM 8 AND NEW CLAIM 17, DEFINING THE SUBJECT MATTER OF CLAIM 19.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

1. It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary. A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a response to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

2. Since the Examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the interview unless box 1 above is also checked.

Examiner Note: You must sign this form unless it is an attachment to another form.

the examiner's initials.

Applicant's summary of what took place at the interview should place the indication "Interview record OK" on the paper recording the substance of the interview along with the date and complete and accurate. The examiner should record the date of any period for response, whichever is longer, to complete the record is submitted to him. If the record is claims are allowed, if there is an inaccuracy and it bears directly on the question of patentability, it should be printed out in the next Office letter. If the examiner during the interview, if the interviewee is an attorney or agent, a letter setting forth his or her version of the statement attributed to him, if the record is abandoned one month from the date of the application (37 CFR 1.135(c)).

Examiners are expected to carefully review the applicant's record of the substance of an interview, if the record is not complete or accurate, the examiner will give the application one month to complete the interview unless already described in the interview Summary Form completed by the examiner.

7) If appropriate, the general results of the interview unless otherwise indicated in the interview Summary Form completed by the examiner.

6) A general indication of any other pertinent matters discussed, and emphasize and fully describe those arguments which he feels were or might be persuasive to the examiner.

5) A brief delineation of the principal arguments presented to the examiner. The delineation of arguments need not be lengthy or elaborate. A verbal or highly detailed description of the arguments is not required. The delineation of the arguments is sufficient if the general nature of the principal arguments presented to the examiner, unless these are already described in the interview Summary Form completed by the examiner.

4) An identification of the principal proposed amendments of a substantive nature discussed, unless these are already described in the interview Summary Form completed by the examiner.

3) An identification of specific prior art discussed.

2) A brief delineation of the substance of any exhibit shown or any demonstration conducted.

1) A complete and proper recordation of the substance of any interview should include at least the following applicable items:

or is supplemented by the applicant or the examiner to include all of the applicable items required below concerning the substance of the interview.

It should be noted, however, that the interview Summary Form will normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include all of the applicable items required below concerning the substance of the interview.

Form or in an attachment to the Form, the examiner should check a box at the bottom of the Form indicating the applicant that he need not supplement the Form by supplementing the record of the interview.

It is desirable that the examiner will record, where the applicant or his obligee to record the substance of the interview, or when it is adequately recorded on the Form or in an attachment to the Form, the examiner should agree to record the substance of the interview.

The Form also contains a statement reminding the applicant of his responsibility to record the substance of the interview.

Names of other Patent and Trademark Office personnel present.

The signature of the examiner who conducted the interview.

Names of other claimants or agents being allowable.

Agreements to allow the examiner to record the substance of the interview.

An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of the agreement).

An indication whether an exhibit was shown or a demonstration conducted.

An indication whether or not an exhibit was shown or a demonstration conducted.

Name of interview (personal or telephone).

Date of interview.

Name of applicant.

Serial Number of the application.

The Form provides for recordation of the following information:

The interview Summary Form shall be given an appropriate paper number, placed in the right hand portion of the file, and listed on the file to the applicant or attorney (or agent) at the earliest convenience. In a personal interview, the duplicate copy of the Form is removed and given to the applicant or attorney (or agent) after the telephone interview rather than with the next official communication.

Examiners must complete a two-sheet carbon interview Summary Form for each interview held after January 1, 1978 where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks in the hardware form using a ball point pen. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview record is otherwise provided for in Section 812.01 of the Manual of Patent Practice, or pointing out typographical errors or unreadable script in Office actions on the file, are excluded from the interview record.

Examiners are to be present during the interview by checking the appropriate boxes and filling in the hardware form using a ball point pen. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview record is otherwise provided for in Section 812.01 of the Manual of Patent Practice, or pointing out typographical errors or unreadable script in Office actions on the file, are excluded from the interview record.

It is the responsibility of the applicant or the attorney or agent to make the substance of the interview record in the application record file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

Applicants to be present in writing. All business with the Patent and Trademark Office should be transacted in writing. The personal attendance of the attorney or agent at the Patent and Trademark Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

(b) In every instance where recordation is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as was warining favorably to the applicant. An interview does not remove the necessity for response to Office action as specified in § 1.111, 1.135, (35 U.S.C. 132).

§ 1.133 Interviews

Applicant, whether or not an agreement to the substance of an interview was reached at the interview.